

PUBLIC NOTICE

General Shale Brick, Inc., has applied to the Tennessee Air Pollution Control Division (TAPCD) for renewal of a major source operating permit subject to the provisions of paragraph 1200-03-09-.02(11) of the Tennessee Air Pollution Control Regulations (also frequently referred to as Title V regulations). A major source (Title V) operating permit is required by both the Federal Clean Air Act and the Tennessee Air Pollution Control Regulations.

The applicant is **General Shale Brick, Inc.**, with a site address of 241 Hoyal Lane, Spring City, Tennessee. They seek to obtain renewal of a major source operating permit for their ceramic brick production facility.

EPA has agreed to treat this draft Part 70 permit as a proposed Part 70 permit and to perform its 45-day review provided by the law concurrently with the public notice period. If any substantive comments are received, EPA's 45-day review period will cease to be performed concurrently with the public notice period. EPA's 45-day review period will start once the public notice period has been completed and EPA receives notification from the Tennessee Air Pollution Control Division the comments have been received and resolved. Whether EPA's 45-day review period is performed concurrently with the public notice comment period or after the public comment period has ended, the deadline for citizen's petition to object to the EPA Administrator will be determined as if EPA's 45-day review is performed after the public comment period has ended (i.e., sequentially).

The status regarding EPA's 45-day review of this project and the deadline for submitting a citizens' petition can be found at the following website address: <http://www2.epa.gov/caa-permitting/caa-permitting-epas-southeastern-region>

A copy of the application materials used by the TAPCD and a copy of the draft permit are available for public inspection during normal business hours at the following locations:

Clyde W. Roddy Library
371 1st Avenue
Dayton, TN 37321

and Tennessee Department of Environment and Conservation
Division of Air Pollution Control
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 15th Floor
Nashville, TN 37243

Also, if you require a copy of the draft/proposed permit it is available electronically by accessing the Air Pollution Control Public Participation Opportunity (APC PPO) page: <http://www.tn.gov/environment/topic/ppo-air>

Interested parties are invited to review these materials and comment. In addition, a public hearing may be requested at which written or oral presentations may be made. To be considered, written comments or requests for a public hearing must be made within thirty (30) days of the date of this notice and should be addressed to **Michelle Walker Owenby, Director, Division of Air Pollution Control, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 15th Floor, Nashville, Tennessee 37243**. Questions concerning the source(s) may be addressed to Mr. Doug Wright at the same address or by calling (615)-532-0583 or emailing to Doug.s.wright@tn.gov. A final determination will be made after weighing all relevant comments.

Individuals with disabilities who wish to participate should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such contact may be in person, by writing, telephone, or other means, and should be made no less than ten days prior to the end of the public comment period to allow time to provide such aid or services. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, W.R. Snodgrass Tenn. Tower, 312 Rosa L. Parks Ave. 2nd Floor, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service, 1-(800)-848-0298.

(Do not publish text below the dotted line)

For the Rhea County "Herald-News"-- publish once between March 22nd and 31st, 2017

DATE: MARCH 20, 2017

Assigned to --Doug Wright, Air Pollution Control

No alterations to the above are allowed:

General Shale Brick, Inc. must pay to place this advertisement in the newspaper.

Air Pollution Control must be furnished with an affidavit from the newspaper stating that the ad was run and the date of the ad or one complete sheet from the newspaper showing this advertisement, the name of the newspaper and the date of publication. Mail to Doug Wright, Air Pollution Control Division, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 15th Floor, Nashville, Tennessee 37243 or send a pdf copy of this information electronically to air.pollution.control@tn.gov .

TITLE V PERMIT STATEMENT

Facility Name: General Shale Brick, Inc.
City: Spring City
County: Rhea

Date Application Received: December 21, 2015
Date Application Deemed Complete: December 21, 2015

Emission Source Reference No.: 72-0116
Permit No.: 571172

INTRODUCTION

This narrative is being provided to assist the reader in understanding the content of the Title V operating permit for this facility. The primary purpose of the Title V operating permit is to consolidate and identify existing state and federal air requirements applicable to **General Shale Brick, Inc.** and to provide practical methods for determining compliance with these requirements. The following narrative is designed to accompany the Title V Operating Permit. It initially describes the facility receiving the permit, then the applicable requirements and their significance, and finally the compliance status with those applicable requirements. This narrative is intended only as an adjunct for the

reviewer and has no legal standing. Any revisions made to the permit in response to comments received during the public participation process will be described in an addendum to this narrative.

Acronyms

PSD - Prevention of Significant Deterioration
NESHAP - National Emission Standards for Hazardous Air Pollutants
NSPS - New Source Performance Standards
MACT - Maximum Achievable Control Technology
NSR - New Source Review
GHGs - Greenhouse Gases
CAM - Compliance Assurance Monitoring

I. Identification Information

A. Source Description

This facility manufactures bricks.

72-0116-01-01: Raw Material Handling

72-0116-01-02: Raw Material Processing

72-0116-01-03: Millroom Operation

72-0116-01-04: Dryer/Kiln

72-0116-01-05: Coal Processing System. Coal is not currently used at this facility, but General Shale wishes to have the capability to do so if there is a shortage of natural gas.

72-0116-01-06: Portable Crusher

72-0116-01-07: Kiln Car Cleaner

B. Facility Classification

1. Attainment or Non-Attainment Area Location

Rhea County *is* designated as an attainment area for all criteria pollutants.

2. Company *is* located in a *Class II* area (this means that the facility is not located within a national park or national wilderness area; see 40 CFR 52.21(e) for complete definition).

C. Regulatory Status

1. PSD/NSR

This facility is not a major source under PSD.

2. Title V Major Source Status by Pollutant.

Pollutant	Is the pollutant	If emitted, what is the
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	emitted?	facility's status?
		Major Source Status
PM	YES	NO
PM ₁₀	YES	NO
SO ₂	YES	YES
VOC	YES	NO
NO _x	YES	NO
CO	YES	NO
Individual HAP	YES	NO
Total HAPs	YES	NO
GHG	YES	NO

3. NESHAP Standards.

This facility **is not** a major source for HAPs. This facility **is** an area source for HAPs. This facility is not subject to NESHAP Subpart JJJJJ [Brick and Structural Clay Products Manufacturing] because the HAPs emissions are below major source thresholds.

4. NSPS, MACT Standards

This facility *is not* a major source for HAPs and *is not* subject to a MACT Standard. The relevant MACT standard for a facility like this one is Subpart JJJJJ, and that standard does not apply because HAP emissions are less than 25 tons per year for multiple HAP and less than 10 tons per year for individual HAPs'.

5. Program Applicability. Are the following programs applicable to the facility?

PSD (no)

NESHAP (no)

NSPS (no)

II. Other Requirements

A. Emissions Trading

The facility is not involved in an emission trading program.

B. Acid Rain Requirements

This facility is not subject to any requirements in Title IV of the Clean Air Act.

C. Prevention of Accidental Releases

This facility is not required to submit an accidental release plan pursuant to Section 112(r) of the CAA and TAPCR 1200-03-32.

D. Greenhouse Gas (GHG) Emissions

This facility is not a major GHG emitter.

E. Compliance Assurance Monitoring (CAM)

No PSEUs meet the general applicability criteria in 40 CFR 64.2(a).

III. Permit History

Title V Operating Permit No. 563681 issued August 11, 2011 represents the first Title V Permit. The following changes have occurred under the original Title V permit.

- Operational Flexibility #1
Install a Stedman crusher to replace the existing Hammermill crusher (September 29, 2011). The change did not result in emissions from the source exceeding the emissions allowable under the existing major source (Title V) operating permit (#563681).
- Administrative Permit Amendment #1
The date for submitting performance test results, Condition E7-13, was changed from May 1, 2012, to September 1, 2012.
- Minor Modification #1
Change the kiln car cleaner to exhaust to the outside of the building instead of the inside of the building. The change only affected allowable emissions for particular matter and did not change the emissions allowable under the existing major source (Title V) operating permit (#563681).
- Administrative Permit Amendment #2
This amendment was requested with a letter dated December 12, 2014, to correct a material mistake from Minor Modification #1 in which the minimum pressure drop across the new baghouse was inadvertently set at 3.5" of WC when that value was actually presented as a maximum value, not a minimum value. To correct this, General Shale Brick, Inc. has requested that a more representative value for the minimum pressure drop requirement across the Kiln Car Cleaner Baghouse be incorporated into the permit. The minimum pressure drop value of 1.0 inches of water across the baghouse replaces the previous value of 3.5 inches in Condition E10-1(MM).
- Minor Modification # 2
This modification was requested with a letter dated November 2, 2016, to notify the Division that General Shale is replacing their existing sand texturing system in Source 03. The plant cannot operate without this system, so they will have two sand texturing systems operating for a brief time. This minor modification is intended to provide notice of the duplicate system being built and intention to remove

the old system after the new one starts operating. Regulated air pollution emissions will not increase.

Title V Operating Permit No. 571172 represents the first renewal of the Title V Permit. The following changes occurred and the following observations were made during permit review and renewal.

1. VEE information for Source 02 was reviewed and the conditions were found to be correct. VEE can be done as either fugitive or controlled, depending on how the measurements are taken. The source is enclosed, but there is no forced draft, so VEE measurements can be taken either at the source of dust at the equipment or at the openings of the enclosure. The enclosure was tested for VEE in February 2010.
2. Permit conditions A8, E2, E2-1, E3-9, E4-1, E5-1, E5-2, E5-3, E5-4, E5-5, E5-6, E5-7, E6-2, E7-2, E7-3, E7-4, E7-5, E7-6, E7-7, E7-10, E7-17, E9-1, E9-2, E10-3, and E10-4 were updated.
3. Condition E5-9 was added.
4. The Descriptions of 72-0116-03, 72-0116-04, and 72-0116-07 were updated.
5. Old conditions E7-13 through 15 were removed and the conditions were changed to "Reserved" to preserve overall permit numbering.

Notification of this draft permit was mailed to the following environmental agencies:

1. EPA Region 4 Air Planning Branch
2. North Carolina
3. Cherokee Nation
4. Georgia
5. Knox County
6. Hamilton County

Date of Public Notice:

Public Comments:

Date of Public Hearing:

STATE OF TENNESSEE
AIR POLLUTION CONTROL BOARD
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243



OPERATING PERMIT (TITLE V) Issued Pursuant to Tennessee Air Quality Act

This permit fulfills the requirements of Title V of the Federal Clean Air Act (42 U.S.C. 7661a-7661e) and the federal regulations promulgated thereunder at 40 CFR Part 70. (FR Vol. 57, No. 140, Tuesday, July 21, 1992 p.32295-32312). This permit is issued in accordance with the provisions of paragraph 1200-03-09-.02(11) of the Tennessee Air Pollution Control Regulations. The permittee has been granted permission to operate an air contaminant source in accordance with emissions limitations and monitoring requirements set forth herein.

Date Issued: Draft

Permit Number: 571172

Date Expires: TDB 2022

Issued To:
General Shale Brick, Inc.

Installation Address:
241 Hoyal Lane
Spring City

Installation Description:

72-0116-01: Raw Material Handling Processing System	72-0116-05: Coal
72-0116-02: Raw Material Processing Crusher	72-0116-06: Portable
72-0116-03: Millroom Operation Cleaner	72-0116-07: Kiln Car
72-0116-04: Dryer/Kiln	

Emission Source Reference No.: 72-0116

Renewal Application Due Date:
Between 270 and 90 days prior to permit expiration date

Primary SIC: 32

Information Relied Upon: Applications dated October 2, 2007, May 7, 2014, and December 21, 2015, and letter dated January 24, 2008

(continued on the next page)

TECHNICAL SECRETARY

No Authority is Granted by this Permit to Operate, Construct, or Maintain any Installation in Violation of any Law, Statute, Code, Ordinance, Rule, or Regulation of the State of Tennessee or any of its Political Subdivisions.

POST AT INSTALLATION ADDRESS

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SECTION A

GENERAL PERMIT CONDITIONS

A permit issued under the provisions of paragraph 1200-03-09-.02(11) is a permit issued pursuant to the requirements of Title V of the Federal Act and its implementing Federal regulations promulgated at 40 CFR, Part 70.

- A1. Definitions.** Terms not otherwise defined in the permit shall have the meaning assigned to such terms in the referenced regulation.

TAPCR 1200-03

- A2. Compliance requirement.** All terms and conditions in a permit issued pursuant to paragraph 1200-03-09-.02(11) including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator and citizens under the Federal Act.

The permittee shall comply with all conditions of its permit. Except for requirements specifically designated herein as not being federally enforceable (State Only), non-compliance with the permit requirements is a violation of the Federal Act and the Tennessee Air Quality Act and is grounds for enforcement action; for a permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Non-compliance with permit conditions specifically designated herein as not being federally enforceable (State Only) is a violation of the Tennessee Air Quality Act and may be grounds for these actions.

TAPCR 1200-03-09-.02(11) (e) 2(i) and 1200-03-09-.02(11) (e) 1(vi) (I)

- A3. Need to halt or reduce activity.** The need to halt or reduce activity is not a defense for noncompliance. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. However, nothing in this item shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations.

TAPCR 1200-03-09-.02(11) (e) 1(vi) (II)

- A4. The permit.** The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

TAPCR 1200-03-09-.02(11) (e) 1(vi) (III)

- A5. Property rights.** The permit does not convey any property rights of any sort, or any exclusive privilege.

TAPCR 1200-03-09-.02(11) (e) 1(vi) (IV)

- A6. Submittal of requested information.** The permittee shall furnish to the Technical Secretary, within a reasonable time, any information that the Technical Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or termination of the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Technical Secretary copies of records required to be kept by the permit. If the permittee claims that such information is confidential, the Technical Secretary may review that claim and hold the information in protected status until such time that the Board can hear any contested proceedings regarding confidentiality disputes. If the information is

desired by EPA, the permittee may mail the information directly to EPA. Any claims of confidentiality for federal purposes will be determined by EPA.

TAPCR 1200-03-09-.02(11)(e)1(vi)(V)

A7. Severability clause. The requirements of this permit are severable. A dispute regarding one or more requirements of this permit does not invalidate or otherwise excuse the permittee from their duty to comply with the remaining portion of the permit.

TAPCR 1200-03-09.02(11)(e)1(v)

A8. Fee payment.

(a) The permittee shall pay an annual major source emission fee based upon the responsible official's choice of actual emissions or allowable emissions. An emission cap of 4,000 tons per year per regulated pollutant per major source SIC Code shall apply to actual or allowable based emission fees. A major source annual emission fee will not be charged for emissions in excess of the cap (s) or for carbon monoxide.

(b) Major sources who have filed a timely, complete operating permit application in accordance with 1200-03-09-.02(11), shall pay allowable emission based fees until the beginning of the next annual accounting period following receipt of their major source operating permit. At that time, the permittee shall begin paying their annual emission fee based upon their choice of actual or allowable based fees, or mixed actual and allowable based fees as stated under SECTION E of this permit. Once permitted, altering the existing choice shall be accomplished by a written request of the major source, filed in the office of the Technical Secretary at least one hundred eighty days prior to the expiration or reissuance of the major source operating permit.

(c) Major sources must conform to the following requirements with respect to fee payments:

1. If a major source choosing an allowable based annual emission fee wishes to restructure its allowable emissions for the purposes of lowering its annual emission fees, a mutually agreed upon, more restrictive regulatory requirement may be established to minimize the allowable emissions and thus the annual emission fee. The more restrictive requirement must be specified on the permit, and must include the method used to determine compliance with the limitation. The documentation procedure to be followed by the major source must also be included to insure that the limit is not exceeded. Restructuring the allowable emissions is permissible only in the annual accounting periods of eligibility and only, if the written request for restructuring is filed with the Technical Secretary at least 120 days prior to the beginning of the annual accounting period of eligibility. These periods of eligibility occur upon expiration of the initial major source operating permit, renewal of an expired major source operating permit or reissuance of a major source operating permit.

2. Major sources paying on allowable based emission fees will be billed by the Division no later than April 1 prior to the end of the accounting period. The major source annual emission fee is due July 1 following the end of the accounting period.

3. Major sources choosing an actual based annual emission fee shall file an actual emissions analysis with the Technical Secretary which summarizes the actual emissions of all regulated pollutants at the air contaminant sources of their facility. Based upon the actual emissions analysis, the source shall calculate the fee due and submit the payment and the analysis each July 1st following the end of the annual accounting period.

4. Major sources choosing a mixture of allowable and actual based emission fees shall file an actual emissions and allowable emissions analysis with the Technical Secretary which summarizes the actual and allowable emissions of all regulated pollutants at the air contaminant sources of their facility. Based upon the analysis, the source shall calculate the fee due and submit the payment and the analysis each July 1st following the end of the annual accounting period.

The mixed based fee shall be calculated utilizing the 4,000 ton cap specified in subparagraph 1200-03-26-.02(2)(i). In determining the tonnages to be applied toward the regulated pollutant 4,000 ton cap in a mixed based fee, the source shall first calculate the actual emission based fees for a regulated pollutant and apply that tonnage toward the regulated pollutant's cap. The remaining tonnage available in the 4,000 ton category of a regulated pollutant shall be subject to allowable emission based fee calculations for the sources that were not included in the actual emission based fee calculations. Once the

4,000 ton cap has been reached for a regulated pollutant, no additional fee shall be required.

5. Major sources choosing to pay their major source annual emission fee based on actual based emissions or a mixture of allowable and actual based emissions may request an extension of time to file their emissions analysis with the Technical Secretary. The extension may be granted by the Technical Secretary up to ninety (90) days. The request for extension must be postmarked no later than July 1 or the request for extension shall be denied. The request for extension to file must state the reason and give an adequate explanation.

An estimated annual emission fee payment of no less than eighty percent (80%) of the fee due July 1 must accompany the request for extension to avoid penalties and interest on the underpayment of the annual emission fee. A remaining balance due must accompany the emission analysis. If there has been an overpayment, a refund may be requested in writing to the Division or be applied as a credit toward next year's major source annual emission fee. The request for extension of time is not available to major sources choosing to pay their major source annual emission fee based on allowable emissions.

6. Newly constructed major sources or minor existing sources modifying their operations such that they become a major source in the midst of the standard July 1st to June 30th annual accounting period, shall pay allowable based annual emission fees for the fractional remainder of the annual accounting period commencing upon their start-up. At the beginning of the next annual accounting period, the "responsible official" of the source may choose to pay annual emission fees based on actual or allowable emissions or a mixture of the two as provided for in this rule 1200-03-26-.02.

(d) Where more than one (1) allowable emission limit is applicable to a regulated pollutant, the allowable emissions for the regulated pollutants shall not be double counted. Major sources subject to the provisions of paragraph 1200-03-26-.02(9) shall apportion their emissions as follows to ensure that their fees are not double counted.

1. Sources that are subject to federally promulgated hazardous air pollutant standards that can be imposed under Chapter 1200-03-11 or Chapter 1200-03-31 will place such regulated emissions in the specific hazardous air pollutant under regulation. If the pollutant is also in the family of volatile organic compounds or the family of particulates, the pollutant shall not be placed in that respective family category.

2. A miscellaneous category of hazardous air pollutants shall be used for hazardous air pollutants listed at part 1200-03-26-.02(2)(i)12 that do not have an allowable emission standard. A pollutant placed in this category shall not be subject to being placed in any other category such as volatile organic compounds or particulates.

3. Each individual hazardous air pollutant and the miscellaneous category of hazardous air pollutants is subject to the 4,000 ton cap provisions of subparagraph 1200-03-26-.02(2)(i).

4. Major sources that wish to pay annual emission fees for PM₁₀ on an allowable emission basis may do so if they have a specific PM₁₀ allowable emission standard. If a major source has a total particulate emission standard, but wishes to pay annual emission fees on an actual PM₁₀ emission basis, it may do so if the PM₁₀ actual emission levels are proven to the satisfaction of the Technical Secretary. The method to demonstrate the actual PM₁₀ emission levels must be made as part of the source's major source operating permit in advance in order to exercise this option. The PM₁₀ emissions reported under these options shall not be subject to fees under the family of particulate emissions. The 4,000 ton cap provisions of subparagraph 1200-03-26-.02(2)(i) shall also apply to PM₁₀ emissions.

TAPCR 1200-03-26-.02 (3) and (9) and 1200-03-09-.02(11)(e)1(vii)

A9. Permit revision not required. A permit revision will not be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or process for changes that are provided for in the permit.

TAPCR 1200-03-09-.02(11)(e)1(viii)

A10. Inspection and entry. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Technical Secretary or his authorized representative to perform the following for the purposes of determining compliance with the permit applicable requirements:

- (a) Enter upon, at reasonable times, the permittee's premises where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (d) As authorized by the Clean Air Act and Chapter 1200-03-10 of TAPCR, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
- (e) "Reasonable times" shall be considered to be customary business hours unless reasonable cause exists to suspect noncompliance with the Act, Division 1200-03 or any permit issued pursuant thereto and the Technical Secretary specifically authorizes an inspector to inspect a facility at any other time.

TAPCR 1200-03-09-.02(11)(e)3.(ii)

A11. Permit shield.

- (a) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date of permit issuance, provided that:
 - 1. Such applicable requirements are included and are specifically identified in the permit; or
 - 2. The Technical Secretary, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.
- (b) Nothing in this permit shall alter or affect the following:
 - 1. The provisions of section 303 of the Federal Act (emergency orders), including the authority of the Administrator under that section. Similarly, the provisions of T.C.A. §68-201-109 (emergency orders) including the authority of the Governor under the section;
 - 2. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 3. The applicable requirements of the acid rain program, consistent with section 408(a) of the Federal Act; or
 - 4. The ability of EPA to obtain information from a source pursuant to section 114 of the Federal Act.
- (c) Permit shield is granted to the permittee.

A12. Permit renewal and expiration.

(a) An application for permit renewal must be submitted at least 180 days, but no more than 270 days, prior to the expiration of this permit. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.

(b) Provided that the permittee submits a timely and complete application for permit renewal the source will not be considered in violation of paragraph 1200-03-09-.02(11) until the Technical Secretary takes final action on the permit application, except as otherwise noted in paragraph 1200-03-09-.02(11).

(c) This permit, its shield provided in Condition A11, and its conditions will be extended and effective after its expiration date provided that the source has submitted a timely, complete renewal application to the Technical Secretary.

TAPCR 1200-03-09-.02(11)(f)3 and 2, 1200-03-09-.02(11)(d)1(i)(III), and 1200-03-09-.02(11)(a)2

A13. Reopening for cause.

(a) A permit shall be reopened and revised prior to the expiration of the permit under any of the circumstances listed below:

1. Additional applicable requirements under the Federal Act become applicable to the sources contained in this permit provided the permit has a remaining term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the permit expiration date of this permit, unless the original has been extended pursuant to 1200-03-09-.02(11)(a)2.

2. Additional requirements become applicable to an affected source under the acid rain program.

3. The Technical Secretary or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

4. The Technical Secretary or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(b) Proceedings to reopen and issue a permit shall follow the same proceedings as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists, and not the entire permit. Such reopening shall be made as expeditiously as practicable.

(c) Re-openings for cause shall not be initiated before a notice of such intent is provided to the permittee by the Technical Secretary at least 30 days in advance of the date that the permit is to be reopened except that the Technical Secretary may provide a shorter time period in the case of an emergency. An emergency shall be established by the criteria of T.C.A. 68-201-109 or other compelling reasons that public welfare is being adversely affected by the operation of a source that is in compliance with its permit requirements.

(d) If the Administrator finds that cause exists to terminate, modify, or revoke and reissue a permit as identified in A13, he is required under federal rules to notify the Technical Secretary and the permittee of such findings in writing. Upon receipt of such notification, the Technical Secretary shall investigate the matter in order to determine if he agrees or disagrees with the Administrator's findings. If he agrees with the Administrator's findings, the Technical Secretary shall conduct the reopening in the following manner:

1. The Technical Secretary shall, within 90 days after receipt of such notification, forward to EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate. If the Administrator grants additional time to secure permit applications or additional information from the permittee, the Technical Secretary shall have the additional time period added to the standard 90 day time period.

2. EPA will evaluate the Technical Secretary's proposed revisions and respond as to their evaluation.

3. If EPA agrees with the proposed revisions, the Technical Secretary shall proceed with the reopening in the same manner prescribed under Condition A13 (b) and Condition A13 (c).

4. If the Technical Secretary disagrees with either the findings or the Administrator that a permit should be reopened or an objection of the Administrator to a proposed revision to a permit submitted pursuant to Condition A13(d), he shall bring the matter to the Board at its next regularly scheduled meeting for instructions as to how he should proceed. The permittee shall be required to file a written brief expressing their position relative to the Administrator's objection and have a responsible official present at the meeting to answer questions for the Board. If the Board agrees that EPA is wrong in their demand for a permit revision, they shall instruct the Technical Secretary to conform to EPA's demand, but to issue the permit under protest preserving all rights available for litigation against EPA.

TAPCR 1200-03-09-.02(11)(f)6 and 7.

A14. Permit transference. An administrative permit amendment allows for a change of ownership or operational control of a source where the Technical Secretary determines that no other change in the permit is necessary, provided that the following requirements are met:

(a) Transfer of ownership permit application is filed consistent with the provisions of 1200-03-09-.03(6), and

(b) Written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Technical Secretary.

TAPCR 1200-03-09-.02(11)(f)4(i)(IV) and 1200-03-09-.03(6)

A15. Air pollution alert. When the Technical Secretary has declared that an air pollution alert, an air pollution warning, or an air pollution emergency exists, the permittee must follow the requirements for that episode level as outlined in TAPCR 1200-03-09-.03(1) and TAPCR 1200-03-15-.03.

A16. Construction permit required. Except as exempted in TAPCR 1200-03-09-.04, or excluded in subparagraph TAPCR 1200-03-2-.01(1)(aa) or subparagraph TAPCR 1200-03-02-.01(1)(cc), this facility shall not begin the construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants without first having applied for and received from the Technical Secretary a construction permit for the construction or modification of such air contaminant source.

TAPCR 1200-03-09-.01(1)(a)

A17. Notification of changes. The permittee shall notify the Technical Secretary 30 days prior to commencement of any of the following changes to an air contaminant source which would not be a modification requiring a construction permit.

(a) change in air pollution control equipment

(b) change in stack height or diameter

(c) change in exit velocity of more than 25 percent or exit temperature of more than 15 percent based on absolute temperature.

TAPCR 1200-03-09-.02(7)

A18. Schedule of compliance. The permittee will comply with any applicable requirement that becomes effective during the permit term on a timely basis. If the permittee is not in compliance the permittee must submit a schedule for coming into compliance which must include a schedule of remedial measure(s), including an enforceable set of deadlines for specific actions.

TAPCR 1200-03-09-.02(11)(d)3 and 40 CFR Part 70.5(c)

A19. Title VI.

(a) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR, Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:

1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to Section 82.156.

2. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to Section 82.158.

3. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to Section 82.161.

(b) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone depleting substance refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR, Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

(c) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR, Part 82, Subpart G, Significant New Alternatives Policy Program.

A20. 112 (r). The permittee shall comply with the requirement to submit to the Administrator or designated State Agency a risk management plan, including a registration that reflects all covered processes, by June 21, 1999, if the permittee's facility is required pursuant to 40 CFR, 68, to submit such a plan.

TAPCR 1200-03-32-.03(3)

SECTION B

**GENERAL CONDITIONS for MONITORING,
REPORTING, and ENFORCEMENT**

B1. Recordkeeping. Monitoring and related record keeping shall be performed in accordance with the requirements specified in the permit conditions for each individual permit unit. In no case shall reports of any required monitoring and record keeping be submitted less frequently than every six months.

(a) Where applicable, records of required monitoring information include the following:

1. The date, place as defined in the permit, and time of sampling or measurements;
2. The date(s) analyses were performed;
3. The company or entity that performed the analysis;
4. The analytical techniques or methods used;
5. The results of such analyses; and
6. The operating conditions as existing at the time of sampling or measurement.

(b) Digital data accumulation which utilizes valid data compression techniques shall be acceptable for compliance determination as long as such compression does not violate an applicable requirement and its use has been approved in advance by the Technical Secretary.

TAPCR 1200-03-09-.02(11)(e)1(iii)

B2. Retention of monitoring data. The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

TAPCR 1200-03-09-.02(11)(e)1(iii)(II)II

B3. Reporting. Reports of any required monitoring and record keeping shall be submitted to the Technical Secretary in accordance with the frequencies specified in the permit conditions for each individual permit unit. Reports shall be submitted within 60 days of the close of the reporting period unless otherwise noted. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official. Reports required under "State only requirements" are not required to be certified by a responsible official.

TAPCR 1200-03-09-.02(11)(e)1(iii)

B4. Certification. Except for reports required under "State Only" requirements, any application form, report or compliance certification submitted pursuant to the requirements of this permit shall contain certification by a responsible official of truth, accuracy and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

TAPCR 1200-03-09-.02(11)(d)4

B5. Annual compliance certification. The permittee shall submit annually compliance certifications with terms and conditions contained in Sections A, B, D and E of this permit, including emission limitations, standards, or work practices. This compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

(a) The identification of each term or condition of the permit that is the basis of the certification;

(b) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period; such methods and other means shall include, at a minimum, the methods and means required by this permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Act, which prohibits knowingly making a false certification or omitting material information;

(c) The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in B5(b) above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion* or exceedance** as defined below occurred; and

(d) Such other facts as the Technical Secretary may require to determine the compliance status of the source.

* "Excursion" shall mean a departure from an indicator range established for monitoring under this paragraph, consistent with any averaging period specified for averaging the results of the monitoring.

** "Exceedance" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

40 CFR Part 70.6(c)(5)(iii) as amended in the Federal Register Vol. 79, No.144, July 28, 2014, pages 43661 through 43667

B6. Submission of compliance certification.

The compliance certification shall be

submitted to:

The Tennessee Department of
Environment & Conservation
Environmental Field Office
specified in Section E of this
permit

and

Air and EPCRA Enforcement
Branch
US EPA Region IV
61 Forsyth Street, SW
Atlanta, Georgia 30303

TAPCR 1200-03-09-.02(11)(e)3(v)(IV)

B7. Emergency provisions. An emergency constitutes an affirmative defense to an enforcement action brought against this source for noncompliance with a technology based emission limitation due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

(a) The affirmative defense of the emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An emergency occurred and that the permittee can identify the probable cause(s) of the emergency. "Probable" must be supported by a credible investigation into the incident that seeks to identify the causes and results in an explanation supported by generally accepted engineering or scientific principles.

2. The permitted source was at the time being properly operated. In determining whether or not a source was being properly operated, the Technical Secretary shall examine the source's written standard operating procedures which were in effect at the time of the noncompliance and any other code as detailed below that would be relevant to preventing the noncompliance. Adherence to the source's standard operating procedures will

be the test of adequate preventative maintenance, careless operation, improper operation or operator error to the extent that such adherence would prevent noncompliance. The source's failure to follow recognized standards of practice to the extent that adherence to such a standard would have prevented noncompliance will disqualify the source from any claim of an emergency and an affirmative defense.

3. During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

4. The permittee submitted notice of the emergency to the Technical Secretary according to the notification criteria for malfunctions in rule 1200-03-20-.03. For the purposes of this condition, "emergency" shall be substituted for "malfunction(s)" in rule 1200-03-20-.03 to determine the relevant notification threshold. The notice shall include a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding the permittee seeking to establish the occurrence of an emergency has the burden of proof.

(c) The provisions of this condition are in addition to any emergency, malfunction or upset requirement contained in Division 1200-03 or other applicable requirement.

TAPCR 1200-03-09-.02(11)(e)7

B8. Excess emissions reporting.

(a) The permittee shall promptly notify the Technical Secretary when any emission source, air pollution control equipment, or related facility breaks down in such a manner to cause the emission of air contaminants in excess of the applicable emission standards contained in Division 1200-03 or any permit issued thereto, or of sufficient duration to cause damage to property or public health. The permittee must provide the Technical Secretary with a statement giving all pertinent facts, including the estimated duration of the breakdown. Violations of the visible emission standard which occur for less than 20 minutes in one day (midnight to midnight) need not be reported. Prompt notification will be within 24 hours of the malfunction and shall be provided by telephone to the Division's Nashville office. The Technical Secretary shall be notified when the condition causing the failure or breakdown has been corrected. In attainment and unclassified areas if emissions other than from sources designated as significantly impacting on a nonattainment area in excess of the standards will not and do not occur over more than a 24-hour period (or will not recur over more than a 24-hour period) and no damage to property and or public health is anticipated, notification is not required.

(b) Any malfunction that creates an imminent hazard to health must be reported by telephone immediately to the Division's Nashville office at (615) 532-0554 and to the State Civil Defense.

(c) A log of all malfunctions, startups, and shutdowns resulting in emissions in excess of the standards in Division 1200-03 or any permit issued thereto must be kept at the plant. All information shall be entered in the log no later than twenty-four (24) hours after the startup or shutdown is complete, or the malfunction has ceased or has been corrected. Any later discovered corrections can be added in the log as footnotes with the reason given for the change. This log must record at least the following:

1. Stack or emission point involved
2. Time malfunction, startup, or shutdown began and/or when first noticed
3. Type of malfunction and/or reason for shutdown
4. Time startup or shutdown was complete or time the air contaminant source returned to normal operation
5. The company employee making entry on the log must sign, date, and indicate the time of each log entry

The information under items 1. and 2. must be entered into the log by the end of the shift during which the malfunction or startup began. For any source utilizing continuous emission(s) monitoring, continuous emission(s) monitoring collection satisfies the above log keeping requirement.

TAPCR 1200-03-20-.03 and .04

- B9. Malfunctions, startups and shutdowns - reasonable measures required.** The permittee must take all reasonable measures to keep emissions to a minimum during startups, shutdowns, and malfunctions. These measures may include installation and use of alternate control systems, changes in operating methods or procedures, cessation of operation until the process equipment and/or air pollution control equipment is repaired, maintaining sufficient spare parts, use of overtime labor, use of outside consultants and contractors, and other appropriate means. Failures that are caused by poor maintenance, careless operation or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions. This provision does not apply to standards found in 40 CFR, Parts 60 (Standards of performance for new stationary sources), 61 (National emission standards for hazardous air pollutants) and 63 (National emission standards for hazardous air pollutants for source categories).

TAPCR 1200-03-20-.02

- B10.** Reserved.

- B11. Report required upon the issuance of a notice of violation for excess emissions.**

The permittee must submit within twenty (20) days after receipt of the notice of violation, the data shown below to assist the Technical Secretary in deciding whether to excuse or validate the violation. If this data has previously been available to the Technical Secretary prior to the issuance of the notice of violation no further action is required of the violating source. However, if the source desires to submit additional information, then this must be submitted within the same twenty (20) day time period. The minimum data requirements are:

- (a) The identity of the stack and/or other emission point where the excess emission(s) occurred;
- (b) The magnitude of the excess emissions expressed in pounds per hour and the units of the applicable emission limitation and the operating data and calculations used in determining the magnitude of the excess emissions;
- (c) The time and duration of the emissions;
- (d) The nature and cause of such emissions;
- (e) For malfunctions, the steps taken to correct the situation and the action taken or planned to prevent the recurrence of such malfunctions;
- (f) The steps taken to limit the excess emissions during the occurrence reported, and
- (g) If applicable, documentation that the air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good operating practices for minimizing emissions.

Failure to submit the required report within the twenty (20) day period specified shall preclude the admissibility of the data for consideration of excusal for malfunctions.

TAPCR 1200-03-20-.06(2), (3), and (4)

SECTION C

PERMIT CHANGES

- C1. Operational flexibility changes.** The source may make operational flexibility changes that are not addressed or prohibited by the permit without a permit revision subject to the following requirements:
- (a) The change cannot be subject to a requirement of Title IV of the Federal Act or Chapter 1200-03-30.
 - (b) The change cannot be a modification under any provision of Title I of the federal Act or Division 1200-03.
 - (c) Each change shall meet all applicable requirements and shall not violate any existing permit term or condition.
 - (d) The source must provide contemporaneous written notice to the Technical Secretary and EPA of each such change, except for changes that are below the threshold of levels that are specified in Rule 1200-03-09-.04.
 - (e) Each change shall be described in the notice including the date, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.
 - (f) The change shall not qualify for a permit shield under the provisions of part 1200-03-09-.02(11)(e)6.
 - (g) The permittee shall keep a record describing the changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. The records shall be retained until the changes are incorporated into subsequently issued permits.

TAPCR 1200-03-09-.02(11)(a)4 (ii)

- C2. Section 502(b)(10) changes.**
- (a) The permittee can make certain changes without requiring a permit revision, if the changes are not modifications under Title I of the Federal Act or Division 1200-03 and the changes do not exceed the emissions allowable under the permit. The permittee must, however, provide the Administrator and Technical Secretary with written notification within a minimum of 7 days in advance of the proposed changes. The Technical Secretary may waive the 7 day advance notice in instances where the source demonstrates in writing that an emergency necessitates the change. Emergency shall be demonstrated by the criteria of TAPCR 1200-03-09-.02(11)(e)7 and in no way shall it include changes solely to take advantages of an unforeseen business opportunity. The Technical Secretary and EPA shall attach each such notice to their copy of the relevant permit.
 - (b) The written notification must be signed by a facility Title V responsible official and include the following:
 - 1. brief description of the change within the permitted facility;
 - 2. specifies the date on which the change will occur;
 - 3. declares and quantifies where possible any change in emissions;
 - 4. declares any permit term or condition that is no longer applicable as a result of the change; and
 - 5. declares the requested change is not a Title I modification and will not exceed allowable emissions under the permit.
 - (c) The permit shield provisions of TAPCR 1200-03-09-.02(11)(e)6 shall not apply to Section 502(b)(10) changes.

TAPCR 1200-03-09-.02(11)(a)4 (i)

- C3. Administrative amendment.**

- (a) Administrative permit amendments to this permit shall be in accordance with 1200-03-09-.02(11)(f)4. The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.
- (b) The permit shield shall be extended as part of an administrative permit amendment revision consistent with the provisions of TAPCR 1200-03-09-.02(11)(e)6 for such revisions made pursuant to item (c) of this condition which meet the relevant requirements of TAPCR 1200-03-09-.02(11)(e), TAPCR 1200-03-09-.02(11)(f) and TAPCR 1200-03-09-.02(11)(g) for significant permit modifications.
- (c) Proceedings to review and grant administrative permit amendments shall be limited to only those parts of the permit for which cause to amend exists, and not the entire permit.

TAPCR 1200-03-09-.02(11)(f)4

C4. Minor permit modifications.

- (a) The permittee may submit an application for a minor permit modification in accordance with TAPCR 1200-03-09-.02(11)(f)5(ii).
- (b) The permittee may make the change proposed in its minor permit modification immediately after an application is filed with the Technical Secretary.
- (c) Proceedings to review and modify permits shall be limited to only those parts of the permit for which cause to modify exists, and not the entire permit.
- (d) Minor permit modifications do not qualify for a permit shield.

TAPCR 1200-03-09-.02(11)(f)5(ii)

C5. Significant permit modifications.

- (a) The permittee may submit an application for a significant modification in accordance with TAPCR 1200-03-09-.02(11)(f)5(iv).
- (b) Proceedings to review and modify permits shall be limited to only those parts of the permit for which cause to modify exists, and not the entire permit.

TAPCR 1200-03-09-.02(11)(f)5(iv)

C6. New construction or modifications.

Future construction at this facility that is subject to the provisions of TAPCR 1200-03-09-.01 shall be governed by the following:

- (a) The permittee shall designate in their construction permit application the route that they desire to follow for the purposes of incorporating the newly constructed or modified sources into their existing operating permit. The Technical Secretary shall use that information to prepare the operating permit application submittal deadlines in their construction permit.
- (b) Sources desiring the permit shield shall choose the administrative amendment route of TAPCR 1200-03-09-.02(11)(f)4 or the significant modification route of TAPCR 1200-03-09-.02(11)(f)5(iv).
- (c) Sources desiring expediency instead of the permit shield shall choose the minor permit modification procedure route of TAPCR 1200-03-09-.02(11)(f)5(ii) or group processing of minor modifications under the provisions of TAPCR 1200-03-09-.02(11)(f)5(iii) as applicable to the magnitude of their construction.

TAPCR 1200-03-09-.02(11)(d) 1(i)(V)

SECTION D

GENERAL APPLICABLE REQUIREMENTS

- D1. Visible emissions.** With the exception of air emission sources exempt from the requirements of TAPCR Chapter 1200-03-05 and air emission sources for which a different opacity standard is specifically provided elsewhere in this permit, the permittee shall not cause, suffer, allow or permit discharge of a visible emission from any air contaminant source with an opacity in excess of twenty (20) percent for an aggregate of more than five (5) minutes in any one (1) hour or more than twenty (20) minutes in any twenty-four (24) hour period; provided, however, that for fuel burning installations with fuel burning equipment of input capacity greater than 600 million btu per hour, the permittee shall not cause, suffer, allow, or permit discharge of a visible emission from any fuel burning installation with an opacity in excess of twenty (20) percent (6-minute average) except for one six minute period per one (1) hour of not more than forty (40) percent opacity. Sources constructed or modified after July 7, 1992 shall utilize 6-minute averaging.

Consistent with the requirements of TAPCR Chapter 1200-03-20, due allowance may be made for visible emissions in excess of that permitted under TAPCR 1200-03-05 which are necessary or unavoidable due to routine startup and shutdown conditions. The facility shall maintain a continuous, current log of all excess visible emissions showing the time at which such conditions began and ended and that such record shall be available to the Technical Secretary or his representative upon his request.

TAPCR 1200-03-05-.01(1), TAPCR 1200-03-05-.03(6) and TAPCR 1200-03-05-.02(1)

- D2. General provisions and applicability for non-process gaseous emissions.** Any person constructing or otherwise establishing a non-portable air contaminant source emitting gaseous air contaminants after April 3, 1972, or relocating an air contaminant source more than 1.0 km from the previous position after November 6, 1988, shall install and utilize the best equipment and technology currently available for controlling such gaseous emissions.

TAPCR 1200-03-06-.03(2)

D3. Non-process emission standards. The permittee shall not cause, suffer, allow, or permit particulate emissions from non-process sources in excess of the standards in TAPCR 1200-03-06.

D4. General provisions and applicability for process gaseous emissions. Any person constructing or otherwise establishing an air contaminant source emitting gaseous air contaminants after April 3, 1972, or relocating an air contaminant source more than 1.0 km from the previous position after November 6, 1988, shall install and utilize equipment and technology which is deemed reasonable and proper by the Technical Secretary.

TAPCR 1200-03-07-.07(2)

D5. Particulate emissions from process emission sources. The permittee shall not cause, suffer, allow, or permit particulate emissions from process sources in excess of the standards in TAPCR 1200-03-07.

D6. Sulfur dioxide emission standards. The permittee shall not cause, suffer, allow, or permit Sulfur dioxide emissions from process and non-process sources in excess of the standards in TAPCR 1200-03-14. Regardless of the specific emission standard, new process sources shall utilize the best available control technology as deemed appropriate by the Technical Secretary of the Tennessee Air Pollution Control Board.

D7. Fugitive Dust.

(a) The permittee shall not cause, suffer, allow, or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but not be limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in demolition of existing buildings or structures, construction operations, grading of roads, or the clearing of land;

2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, material stock piles, and other surfaces which can create airborne dusts;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed during sandblasting or other similar operations.

(b) The permittee shall not cause, suffer, allow, or permit fugitive dust to be emitted in such manner to exceed five (5) minutes per hour or twenty (20) minutes per day as to produce a visible emission beyond the property line of the property on which the emission originates, excluding malfunction of equipment as provided in Chapter 1200-3-20.

TAPCR 1200-03-08

D8. Open burning. The permittee shall comply with the TAPCR 1200-03-04 for all open burning activities at the facility.

TAPCR 1200-03-04

D9. Asbestos. Where applicable, the permittee shall comply with the requirements of 1200-03-11-.02(2)(d) when conducting any renovation or demolition activities at the facility.

TAPCR 1200-03-11-.02(2)(d) and 40 CFR, Part 61

D10. Annual certification of compliance. The generally applicable requirements set forth in Section D of this permit are intended to apply to activities and sources that are not subject to source-specific applicable requirements contained in State of

Tennessee and U.S. EPA regulations. By annual certification of compliance, the permittee shall be considered to meet the monitoring and related record keeping and reporting requirements of TAPCR 1200-03-09-.02(11)(e)1.(iii) and 1200-3-10-.04(2)(b)1 and compliance requirements of TAPCR 1200-03-09-.02(11)(e)3.(i). The permittee shall submit compliance certification for these conditions annually.

SECTION E

SOURCE SPECIFIC EMISSION STANDARDS, OPERATING LIMITATIONS, AND MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

72-0116	Facility Description:	This facility manufactures bricks.
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Conditions E1 through E3-9 apply to all sources in Section E of this permit unless otherwise noted.

E1. Fee payment: actual emissions basis.

FEE EMISSIONS SUMMARY TABLE FOR MAJOR SOURCE 72-0116

REGULATED POLLUTANTS	ALLOWABLE EMISSIONS (tons per AAP)	ACTUAL EMISSIONS (tons per AAP)	COMMENTS
PARTICULATE MATTER (PM)	N/A	AEAR	
PM ₁₀	N/A	AEAR	
SO ₂	N/A	AEAR	
VOC	N/A	AEAR	
NO _x	N/A	AEAR	
CATEGORY OF MISCELLANEOUS HAZARDOUS AIR POLLUTANTS (HAP WITHOUT A STANDARD) *			
VOC FAMILY GROUP	N/A	N/A	
NON-VOC GASEOUS GROUP	N/A	AEAR	HF and HCl emissions. Fee emissions are not included above
PM FAMILY GROUP	N/A	N/A	
CATEGORY OF SPECIFIC HAZARDOUS AIR POLLUTANTS (HAP WITH A STANDARD) **			
VOC FAMILY GROUP	N/A	N/A	
NON-VOC GASEOUS GROUP	N/A	N/A	
PM FAMILY GROUP	N/A	N/A	
CATEGORY OF NSPS POLLUTANTS NOT LISTED ABOVE***			
EACH NSPS POLLUTANT NOT LISTED ABOVE	N/A	N/A	

NOTES

AAP The **Annual Accounting Period (AAP)** is a twelve (12) consecutive month period that **begins each July 1st and ends June 30th of the following year.** The **present Annual Accounting Period began July 1, 2016 and ends June 30, 2017.** The **next Annual Accounting Period begins July 1, 2017 and ends June 30, 2018.**

N/A **N/A** indicates that no emissions are specified for fee computation.

AEAR **AEAR** indicates that an **Actual Emissions Analysis** is **Required** to determine the actual emissions of:

- (1) **each regulated pollutant** (Particulate matter, SO₂, VOC, NO_x and so forth. See TAPCR 1200-03-26-.02(2)(i) for the definition of a regulated pollutant.),
 - (2) **each pollutant group** (VOC Family, Non-VOC Gaseous, and Particulate Family), and
 - (3) **the Miscellaneous HAP Category**
- under consideration during the **Annual Accounting Period.**

- * **Category Of Miscellaneous HAP (HAP Without A Standard):** This category is made-up of hazardous air pollutants that do not have a federal or state standard. Each HAP is classified into one of three groups, the **VOC Family** group, the **Non-VOC Gaseous** group, or the **Particulate (PM) Family** group. **For fee computation,** the **Miscellaneous HAP Category** is subject to the 4,000 ton cap provisions of subparagraph 1200-03-26-.02(2)(i).
- ** **Category Of Specific HAP (HAP With A Standard):** This category is made-up of hazardous air pollutants (HAP) that are subject to Federally promulgated Hazardous Air Pollutant Standards that can be imposed under Chapter 1200-03-11 or Chapter 1200-03-31. Each individual hazardous air pollutant is classified into one of three groups, the **VOC Family** group, the **Non-VOC Gaseous** group, or the **Particulate (PM) Family** group. **For fee computation,** each individual hazardous air pollutant of the **Specific HAP Category** is subject to the 4,000 ton cap provisions of subparagraph 1200-03-26-.02(2)(i).
- *** **Category Of NSPS Pollutants Not Listed Above:** This category is made-up of each New Source Performance Standard (NSPS) pollutant whose emissions are not included in the **PM, SO₂, VOC or NO_x** emissions from each source in this permit. **For fee computation,** each **NSPS pollutant not listed above** is subject to the 4,000 ton cap provisions of subparagraph 1200-03-26-.02(2)(i).

END NOTES

- The permittee shall:**
- (1) Pay major source annual **actual based emission fees**, as requested by the responsible official, for each annual accounting period (AAP) by July 1 of each year.
 - (2) Prepare an **actual emissions analysis** in accordance with the above **Fee Emissions Summary Table** for each AAP (July 1 of each year through June 30 of the following year). The **actual emissions analysis** shall include:
 - (a) the completed **Fee Emissions Summary Table**,
 - (b) each **AEAR** required by the above **Fee Emissions Summary Table**, and
 - (c) the records, or a summary of the records, required by **Conditions E4-2, E5-8, E6-2, E7-17, E8-2, E9-4 and E10-2** of this permit. These records shall be used to complete the **AEARs** required by the above **Fee Emissions Summary Table**.
 - (4) Submit the **actual emissions analysis** at the time the fees are paid in full.
 - (5) Calculate the fee due based upon the **actual emissions analysis**, and submit the payment on July 1st following the end of the **annual accounting period**. If any part of any fee imposed under TAPCR 1200-03-26-.02 is not paid within fifteen (15) days of the due date, penalties shall at once accrue as specified in TAPCR 1200-03-26-.02(8). Major sources may request an extension of time to file their emissions analysis with the Technical Secretary as specified in **Condition A8(c)5** of this permit. Emissions for regulated pollutants shall not be double counted as specified in **Condition A8(d)** of this permit.

The Tennessee Air Pollution Control Division will bill the permittee no later than April 1 prior to the end of each **annual accounting period**. The annual emission fee is due July 1 following the end of each **annual accounting period**. If any part of any fee imposed under TAPCR 1200-03-26-.02 is not paid within fifteen (15) days of the due date, penalties shall at once accrue as specified in TAPCR 1200-03-26-

.02(8). Emissions for regulated pollutants shall not be double counted as specified in Condition A8(d) of this permit.

Payment of the fee due and the actual emissions analysis shall be submitted to The Technical Secretary at the following address:

Payment of Fee to		Actual Emissions Analysis to
The Tennessee Department of Environment and Conservation Division of Fiscal Services Consolidated Fee Section - APC William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 10 th Floor Nashville, Tennessee 37243	and	The Tennessee Department of Environment and Conservation Division of Air Pollution Control East Tennessee Permit Program William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 15 th Floor Nashville, Tennessee 37243 or An electronic copy (PDF) of actual emissions analysis can also be submitted to: Air.Pollution.Control@tn.gov

TAPCR 1200-03-26-.02 (3) and (9), and 1200-03-09-.02(11)(e)1 (iii) and (vii)

E2. Reporting requirements.

- (a) **Semiannual reports.** Semiannual reports shall cover the 6-month periods from January 31 through June 30 and July 1 through December 31, and shall be submitted within 60 days after the end of the 6-month periods. All instances of deviations from permit requirements must be clearly identified in these reports and the reports must be certified by a responsible official.

These semiannual reports shall include:

- (1) Any monitoring and recordkeeping required by **Conditions E4-2, E5-2, E6-1, E7-1, E7-2, E7-3, E7-4, E7-5, E7-10, E7-11, E8-1, E9-1, E9-2, E10-1 and E10-2** of this permit. However, a summary report of this data is acceptable provided there is sufficient information to enable the Technical Secretary to evaluate compliance.
- (2) The visible emission evaluation readings from **condition E3-1** of this permit if required. However, a summary report of this data is acceptable provided there is sufficient information to enable the Technical Secretary to evaluate compliance.
- (3) Identification of all instances of deviations from **ALL PERMIT REQUIREMENTS.**

These reports must be certified by a responsible official consistent with condition B4 of this permit and shall be submitted to The Technical Secretary at the address in Condition E2(b) of this permit.

TAPCR 1200-03-09-.02(11)(e)1.(iii)

- (b) **Annual compliance certification.** The permittee shall submit annually compliance certifications with terms and conditions contained in Sections A, B, D and E of this permit, including emission limitations, standards, or work practices. This compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

- (1) The identification of each term or condition of the permit that is the basis of the certification;

- (2) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period; Such methods and other means shall include, at a minimum, the methods and means required by this permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Act, which prohibits knowingly making a false certification or omitting material information;
- (3) The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in E2-1(b)2 above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an *excursion or **exceedance as defined below occurred; and
- (4) Such other facts as the Technical Secretary may require to determine the compliance status of the source.

* "Excursion" shall mean a departure from an indicator range established for monitoring under this paragraph, consistent with any averaging period specified for averaging the results of the monitoring.

** "Exceedance" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

The certification for this renewal shall cover the twelve (12) month period of January through December and shall be submitted within 60 days after the reporting period ends.

These certifications shall be submitted to:

Enforcement Branch	Chattanooga Environmental Field Office	and	Air and EPCRA
	Division of Air Pollution Control		US EPA Region IV
	Suite 550, 540 McCallie Avenue		61 Forsyth
	Street, SW		
	Chattanooga, TN 37402		Atlanta, Georgia
	30303		

Or by email to:

APC.ChattEFO@tn.gov

40 CFR Part 70.6(c)(5)(iii) as amended in the Federal Register Vol. 79, No.144, July 28, 2014, pages 43661 through 43667

- (c) **Retention of Records** All records required by any condition in Section E of this permit must be retained for a period of not less than five years. Additionally, these records shall be kept available for inspection by the Technical Secretary or his representative.

TAPCR 1200-03-09-.02(11)(e)1.(iii)(II)II

E2-1. Identification of Responsible Official, Technical Contact, and Billing Contact of the permitted facility:

(a) The application that was utilized in the preparation of this permit is dated December 21, 2015, and signed by Mr. Gregory Bowles, Director of Environment of the permitted facility. If this person terminates employment or is assigned different duties and is no longer a Responsible Official for this facility as defined in part 1200-03-09-.02(11)(b)21 of the Tennessee Air Pollution Control Regulations, the owner or operator of this air contaminant source shall notify the Technical Secretary of the change. Said notification must be in writing and must be submitted within thirty (30) days of the change. The notification shall include the name and title of the new Responsible Official and certification of truth and accuracy. All representations, agreement to terms and conditions, and covenants made by the former Responsible Official that were used in the establishment of the permit terms and conditions will continue to be binding on the facility until such time that a revision to this permit is obtained that would change said representations, agreements, and/or covenants.

(b) The application that was utilized in the preparation of this permit is dated December 21, 2015, and identifies Martha West as the Principal Technical Contact for the permitted facility. If this person terminates employment or is assigned different duties and is no longer the Principal Technical Contact for this facility, the owner or operator of this air contaminant source shall notify the Technical Secretary of the change. Said notification must be in writing and must be submitted within thirty (30) days of the change. The notification shall include the name and title of the new Principal Technical Contact and certification of truth and accuracy.

(c) The application that was utilized in the preparation of this permit is dated December 21, 2015, and identifies Mr. Gregory Bowles as the Billing Contact for the permitted facility. If this person terminates employment or is assigned different duties and is no longer the Billing Contact for this facility, the owner or operator of this air contaminant source shall notify the Technical Secretary of the change. Said notification must be in writing and must be submitted within thirty (30) days of the change. The notification shall include the name and title of the new Billing Contact and certification of truth and accuracy.

TAPCR 1200-03-09-.03(8)

Compliance Method: Included with the requirement.

General Permit Conditions

- E3-1.** Unless otherwise specified, visible emissions from this facility (not addressed in the source specific sections) shall not exhibit greater than twenty percent (20%) opacity, except for one (1) six-minute period in any one (1) hour period, and for no more than four (4) six-minute periods in any twenty-four (24) hour period. Visible emissions from this source shall be determined by EPA Method 9, as published in the current 40 CFR 60, Appendix A (six-minute average). TAPCR 1200-03-05-.03(6) and TAPCR 1200-03-05-.01(1)

Compliance method: The permittee shall assure compliance with the opacity standard by utilizing the opacity matrix dated

June 18, 1996 (amended on September 11, 2013) that is enclosed as Attachment 1. Reports and certifications shall be submitted in accordance with Condition **E2** of this permit.

If the magnitude and frequency of excursions reported by the permittee in the periodic monitoring for emissions is unsatisfactory to the Technical Secretary, this permit may be reopened to impose additional opacity monitoring requirements.

- E3-2.** Visible emissions from roads and parking areas shall not exhibit greater than 10 percent opacity utilizing Tennessee Visible Emission Evaluation (TVEE) Method 1, as adopted by the Tennessee Air Pollution Control Board on April 29, 1982, as amended on September 15, 1982, and as amended on August 24, 1984. TAPCR 1200-03-08-.03
- E3-3.** The source(s) controlled by the air pollution control device(s) shall not operate unless the control device(s) is in operation. In the event a malfunction/failure of a control device(s) occurs, the operation of the process(es) controlled by the control device(s) shall be regulated by the provisions of Chapter 1200-03-20 of the Tennessee Air Pollution Control Regulations.
- E3-4.** Routine maintenance as required to comply with the specified emission limits shall be performed on the air pollution control devices. Monthly logs of maintenance and/or repair for each air pollution control device shall be kept. This includes, but is not limited to, baghouses, electrostatic precipitators, scrubbers, cyclones, and other air pollution control devices. The logs shall denote what maintenance and what repair was done, when it was done, by whom, and when problems were rectified denoting date accomplished. Use of computer-generated logs are also acceptable. Each maintenance/repair log must be made available upon request by the Technical Secretary or his representative. Such logs must be maintained for 5 years. Records from these logs are not required to be submitted semiannually unless required in Condition E2(a)(1) or under MACT reporting. TAPCR 1200-03-09-.02(11)(e)1.(iii) and 1200-03-10-.04
- E3-5.** Logs and records specified in this permit shall be made available upon request by the Technical Secretary or his representative and shall be retained for a period of not less than five years unless otherwise noted. Logs and records contained in this permit may be based on a recommended format. Any logs that have an alternative format may be utilized provided such logs contain the same information that is required. Computer-generated logs are also acceptable. Logs and records are not required to be submitted semiannually unless specified in Condition E2(a)(1). TAPCR 1200-03-09-.02(11)(e)1.(iii) and 1200-03-10-.04
- E3-6.** All records required by any condition in Section E of this permit must be retained for a period of not less than five (5) years. Additionally, these records shall be kept available for inspection by the Technical Secretary or his representative. All yearly data, including all required calculations, must be entered in the log(s) no later than thirty (30) days from the end of the year for which the data is required. All monthly data, including all required calculations, must be entered in the log(s) no later than thirty (30) days from the end of the month for which the data is required. All daily data, including all required calculations, must be entered in the log(s) no later than seven (7) days from the end of the day for which the data is required. TAPCR 1200-03-09-.02(11)(e)1.(iii) and 1200-03-10-.04
- E3-7.** The permittee is not subject to Section 112(r) of the Clean Air Act and 1200-03-32 of TAPCR. Therefore, the permittee is not required to file an accidental release plan.
- E3-8.** Pursuant to 1200-03-10-.04(2)(a)2. of TAPCR, gauges, indicators, and similar devices used to measure and conduct parametric monitoring of control equipment must maintain an operational availability of at least 95%. Logs and records to substantiate such operational availability must be kept and such records shall be made available to the Technical Secretary or his representative upon request.

E3-9. Pursuant to 40 CFR §63.1(b)(3), the owner or operator of a stationary source who is in the relevant source category and who determines that the source is not subject to a relevant standard or other requirement established under this 40 CFR part 63 must keep a record as specified in 40 CFR §63.10(b)(3). Pursuant to 40 CFR §63.10(b)(3), if an owner or operator determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants regulated by any standard established pursuant to section 112(d) or (f), and that stationary source is in the source category regulated by the relevant standard, but that source is not subject to the relevant standard (or other requirement established under this part) because of limitations on the source's potential to emit or an exclusion, the owner or operator must keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination must be signed by the person making the determination and include an analysis (or other information) that demonstrates why the owner or operator believes the source is unaffected (e.g., because the source is an area source). The analysis (or other information) must be sufficiently detailed to allow the EPA Administrator and/or Technical Secretary to make a finding about the source's applicability status with regard to the relevant standard or other requirement. If relevant, the analysis must be performed in accordance with requirements established in relevant subparts of 40 CFR part 63 for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112, if any. The requirements to determine applicability of a standard under 40 CFR §63.1(b)(3) and to record the results of that determination under 40 CFR §63.10(b)(3) shall not by themselves create an obligation for the owner or operator to obtain a title V permit. TAPCR 1200-03-09-.03(8)

72-0116-01	Raw Material Handling. This source consists of hauling, stockpiling, stockpile recovery, and delivery to the plant.
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Conditions E4-1 through E4-2 apply to source 72-0116-01

E4-1. Particulate matter emitted from this source shall not exceed 1.6 pounds per hour (lb/hr). This limitation is established pursuant to the information contained in the agreement letter dated January 24, 2008, from the permittee. The permittee has requested this limit in order to reduce annual emission fees. TAPCR 1200-03-07-.01(5)

Compliance Method: The permittee shall assure compliance with the particulate matter limitation by using wet suppression. Rain events must be tracked if these events are being used to assure compliance, and the record of rain events must be kept for five (5) years. Wet suppression must be applied at locations in the operation as necessary to comply with the standards in this permit. The wet suppression system shall be maintained in good working condition in order to provide sufficient water pressure and water flow to effectively control fugitive emissions. Records of application, rain, and maintenance shall be kept up to date and available for inspection as required by **Conditions E3-4 and E3-5** of this permit.

E4-2. The permittee shall calculate particulate matter (PM) emissions from this source for fee purposes for the period from July 1 to June 30, every year. The permittee shall maintain a record of the monthly operating hours of this source and calculate the monthly PM emissions using a PM emission factor of 1.6 pounds per hour.

TAPCR 1200-03-26-.02(9)(b)

Month, Year	PM Emission Rate (lb/hr)	Operating Hours (hr/month)	PM Emissions (ton/month)
July	1.6		
August	1.6		
Etc.	1.6		
June	1.6		
Total			

72-0116-02 Raw Material Processing. This source consists of crushing, grinding, and screening of shale in an enclosed building.

Conditions E5-1 through E5-9 apply to source 72-0116-02

E5-1. Particulate matter emitted from this source shall not exceed 2.75 tons per year. This limitation is established pursuant to the information contained in the agreement letter dated January 24, 2008, from the permittee. The permittee has requested this limit in order to reduce annual emission fees. TAPCR 1200-03-07-.01(5)

Compliance Method: The permittee shall assure compliance with the particulate matter limitation by compliance with **Condition E5-2**.

E5-2. The material input shall not exceed 220,000 tons during all intervals of twelve (12) consecutive months. This limitation is established pursuant to the information contained in the agreement letter dated January 24, 2008, from the permittee.

TAPCR 1200-03-09-.02(11) (e)1.(iii) and 1200-03-10-.04

Compliance Method: The permittee shall assure compliance with the material input limitation by keeping a log (similar to the one below) of the monthly and yearly material input to this source.

Month, Year	Material Input (tons)	Material Input (tons/12 consecutive months)
January, 2018		
February, 2018		
Etc.		
December, 2018		

The tons / 12 consecutive month value is the sum of the Material Input (in tons) in the 11 months preceding the month just completed + the Material Input (in tons) in the month just completed.

E5-3. Rated capacity (in tons per hour) of crushers; rated capacity (in tons) of storage bins; width of conveyors and radial stackers; and surface area of screens shall not exceed the limits listed below:

TAPCR 1200-03-09-.01(1) (d)

Operation/Equipmen t	I.D. No.	Size	Status	Date	Capacity (ton/hr)
One Crusher		200 ton/hr	NSPS	2007	200
One Stedman		300 ton/hr	NSPS	2007	300
Six Screens		5' x 10'	NSPS	2007	40
Conveyors	1, 2	48" wide	NSPS	2007	100
Conveyors	3, 4, 6, 7, 9	30" wide	NSPS	2007	300

	thru 15				
Conveyor	5	48" wide	NSPS	2007	400
Conveyor	8	48" wide	NSPS	2007	300

The I.D. Numbers referenced above are from an equipment list submitted with the application dated October 2, 2007, and revised November 14, 2007.

E5-4. The NSPS equipment in the enclosed building must comply with the emission limits in **Conditions E5-6 and E5-7** of this permit, or the building enclosing the NSPS equipment must comply with **Condition E5-5** and the following emission limits:

- (a) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing NSPS equipment any visible fugitive emissions except emissions from a vent as defined in 40 CFR §60.671.
- (b) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing NSPS equipment emissions which exceed the stack emissions limits in **Condition E5-5** of this permit.

40 CFR §60.672(e) and TAPCR 1200-03-09-.03(8)

Compliance Method: The permittee shall assure compliance with the material input limitation by complying with **Condition E5-5**.

E5-5. Stack emissions from NSPS equipment in an enclosed building shall not:

- (a) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and
- (b) Exhibit greater than 7 percent opacity, unless the stack emissions are discharged from NSPS equipment using a wet scrubbing control device.

40 CFR §60.672(a) and TAPCR 1200-03-09-.03(8)

Compliance Method: The permittee shall assure compliance with this limitation by complying with **Condition E5-9**.

E5-6. Visible emissions from the NSPS Screens and NSPS Conveyors shall not exhibit greater than 10 percent opacity per 40 CFR §60.672(b). The opacity is to be measured by EPA Method 9, as published in the current 40 CFR 60, Appendix A (six-minute average). TAPCR 1200-03-09-.03(8)

Compliance Method: The permittee shall assure compliance with the NSPS visible emissions limitation by complying with **Condition E5-9**.

E5-7. Visible emissions from the NSPS Crushers shall not exhibit greater than 15 percent opacity per 40 CFR §60.672(b). The opacity is to be measured by EPA Method 9, as published in the current 40 CFR 60, Appendix A (six-minute average). TAPCR 1200-03-09-.03(8)

Compliance Method: The permittee shall assure compliance with the NSPS visible emissions limitation by complying with **Condition E5-9**.

E5-8. The permittee shall calculate particulate matter (PM) emissions from this source for fee purposes for the period from July 1 to June 30, every year. The permittee shall maintain a record of the monthly material input of this source and calculate the monthly PM emissions using a PM emission factor of 0.025 pounds per ton and control efficiency of 50% for the building.

TAPCR 1200-03-26-.02(9)(b)

Month, Year	PM Emission Rate (lb/ton)	Material Input (ton/month)	Control Efficiency of Building	PM Emissions (ton/month)
July	0.025		50%	
August	0.025		50%	
Etc.	0.025		50%	
June	0.025		50%	
Total				

E5-9. The permittee shall assure compliance with visible emissions limitations by maintaining enclosure and by using wet suppression when necessary to comply with the conditions of this permit. Rain events must be tracked if these events are being used to assure compliance with emissions limitations related to outdoor storage piles, and the record of rain events must be kept for five (5) years. The wet suppression system shall be maintained in good working condition in order to provide sufficient water pressure and water flow to effectively control fugitive emissions. Maintenance and rain event records shall be kept up to date and available for inspection as required by **Conditions E3-4 and E3-5** and shall be maintained according to the requirements of **Condition E3-6**.

72-0116-03 A duplicate sand texturing system with baghouse control and sand storage silo with bin vent filter will replace the existing sand texturing system in 2017.

Millroom Operation. This source consists of one brick machine for forming, sand texturing, cutting and stacking operations with baghouse control.

Conditions E6-1 through E6-2 apply to source 72-0116-03

E6-1. Particulate matter (TSP) emitted from this source shall not exceed 0.25 grain per dry standard cubic foot of stack gases (25.7 pounds per hour).

TAPCR 1200-03-07-.04(2)

Compliance Method: Compliance with this requirement shall be assured by maintaining a minimum pressure drop of 1.2 inches of water across the baghouse. The pressure drop for the baghouse shall be recorded once daily when the source is in operation. The days when the source does not operate shall be noted.

For lower pressure drop reading(s) resulting from replacement of bags, the permittee shall record the deviation(s) as such in their daily records. Due allowance will be made for lower pressure drop reading(s) which follow replacement of bags provided the permittee establishes to the satisfaction of the Technical Secretary that these lower readings resulted from the replacement of bags.

E6-2. The permittee shall calculate particulate matter (PM) emissions from this source for fee purposes for the period from July 1 to June 30, every year. The permittee shall maintain a record of the monthly material input of this source and calculate the monthly PM emissions using a PM emission factor of 0.0036 pounds per ton.

TAPCR 1200-03-26-.02(9)(b)

Month, Year	PM Emission Rate (lb/ton)	Material Input (ton/month)	PM Emissions (ton/month)
July, 2018	0.0036		
August	0.0036		
Etc.	0.0036		
June	0.0036		
Total			

72-0116-04 Kiln/Pre-dryer. This source consists of one coal / natural gas fired brick tunnel kiln with dry injection fabric filter control and one pre-dryer using waste heat from the kiln. Natural gas will be used as fuel unless there is a shortage and coal may be used in that situation.

Conditions E7-1 through E7-17 apply to source 72-0116-04

E7-1. Only coal and natural gas shall be used as fuel(s) for this facility.

TAPCR 1200-03-09-.02(11)(e)1.(iii) and 1200-03-10-.04

Compliance Method: The permittee shall assure compliance by keeping a monthly record of the type of fuel used (coal, natural gas).

Month, year	Type of Fuel Used
January	
February	
Etc.	
December	

E7-2. The sulfur content of the coal shall not exceed 1.0% by weight and the sulfur content of the shale shall not exceed 0.01% by weight.

TAPCR 1200-03-09-.02(11)(e)1.(iii) and 1200-03-10-.04

Compliance Method: The permittee shall assure compliance with the sulfur content limitation by keeping a record of the sulfur content of each shipment of coal or shale and annual certifications for both. The permittee may use the supplier certifications or may test the coal and shale in-house using an approved ASTM method.

E7-3. The maximum coal usage rate shall not exceed 1,819 pounds per hour on a monthly average basis.

TAPCR 1200-03-09-.02(11)(e)1.(iii) and 1200-03-10-.04

Compliance Method: The permittee shall assure compliance with the coal usage limitation by keeping a record of the daily coal usage and operating hours, and by calculating the monthly average coal usage rate.

Day	Coal Usage (lb)	Operating Hours (hours)	Monthly Average Coal Usage Rate (lb/hr)
1			
2			
Etc.			
31			
Total			

The following equation shall be used to calculate the monthly average coal usage rate:

Monthly Average Coal Usage $\frac{\text{Coal Usage (lb/month)}}{\text{ }}$

$$\text{Rate (lb/hr)} = \frac{\text{Operating Hours (hr/month)}}{\text{hr/month}}$$

- E7-4.** The maximum production rate of fired brick shall not exceed 45,662.1 pounds per hour on a monthly average basis.

TAPCR 1200-03-09-.02 (11) (e) 1. (iii) and 1200-03-10-.04 (2) (b)

Compliance Method: The permittee shall assure compliance with the production limitation by keeping a record of the daily production of fired brick and operating hours, and by calculating the monthly average production rate.

Day	Production of Fired Brick (lb)	Operating Hours (hours)	Monthly Average Production Rate (lb/hr)
1			
2			
Etc.			
31			
Total			

The following equation shall be used to calculate the monthly average production rate:

$$\text{Monthly Average Production Rate (lb/hr)} = \frac{\text{Production (lb/month)}}{\text{Operating Hours (hr/month)}}$$

- E7-5.** Particulate matter (TSP) emitted from this source shall not exceed 22.8 pounds per hour.

TAPCR 1200-03-07-.01(5) and the agreement letter dated February 21, 2008. The permittee has requested this limit in order to reduce annual emission fees.

Compliance Method: Compliance with this requirement shall be assured by maintaining a minimum pressure drop of 3.0 inches of water across the baghouse. The pressure drop for the baghouse shall be recorded once daily when the source is in operation. The days when the source does not operate shall be noted.

For lower pressure drop reading(s) resulting from replacement of bags, the permittee shall record the deviation(s) as such in their daily records. Due allowance will be made for lower pressure drop reading(s) which follow replacement of bags provided the permittee establishes to the satisfaction of the Technical Secretary that these lower readings resulted from the replacement of bags.

- E7-6.** Sulfur Dioxide (SO₂) emitted from this source shall not exceed 57.0 pounds per hour.

TAPCR 1200-03-14-.01(3) and the agreement letter dated February 21, 2008. The permittee has requested this limit in order to reduce annual emission fees.

Compliance Method: The permittee shall assure compliance with the emission limitation by assuring compliance with **Conditions E7-2, E7-3, and E7-4** of this permit.

- E7-7.** Carbon Monoxide (CO) emitted from this source shall not exceed 18.3 pounds per hour.

TAPCR 1200-03-07-.07(2)

Compliance Method: The permittee shall assure compliance with the emission limitation by assuring compliance with **Condition E7-4** of this permit. This assurance is based on an emission factor of 0.8lb CO/ton of fired brick (AP-42, Table 11.3-3, August 1997 revision).

- E7-8.** Nitrogen Oxides (NO_x) emitted from this source shall not exceed 11.6 pounds per hour.

TAPCR 1200-03-07-.07(2)

Compliance Method: The permittee shall assure compliance with the emission limitation by assuring compliance with **Condition E7-4** of this permit. This assurance is based on an emission factor of 0.51 lb NOx/ton of fired brick (AP-42, Table 11.3-3, August 1997 revision).

- E7-9.** Volatile Organic Compounds (VOC) emitted from this source shall not exceed 0.55 pounds per hour.

TAPCR 1200-03-07-.07(2)

Compliance Method: The permittee shall assure compliance with the emission limitation by assuring compliance with **Condition E7-4** of this permit. This assurance is based on an emission factor of 0.024 lb VOC/ton of fired brick (AP-42, Table 11.3-3, August 1997 revision).

- E7-10.** Hydrogen Fluoride (HF) emitted from this source shall not exceed 2.26 pounds per hour.

TAPCR 1200-03-07-.07(2)

Compliance Method: The permittee shall assure compliance with the emission limitation by installing and operating a Dry Injection Fabric Filter.

Dry Injection Fabric Filter (DIFF)

The permittee shall maintain free-flowing lime in the feed hopper or silo and to the fabric filter at all times. The permittee shall maintain the feeder setting at or above the level established during the most recent performance test and shall maintain a record of the test results to demonstrate compliance if requested by the Technical Secretary or representative. The permittee shall inspect the lime injection system once daily and record the results of the inspection in a log. This log will comply with the requirements of **Conditions E3-5 and E3-6** of this permit. The permittee shall promptly correct any problems with the lime injection system.

- E7-11.** Hydrogen Chloride (HCl) emitted from this source shall not exceed 2.26 pounds per hour.

TAPCR 1200-03-07-.07(2).

Compliance Method: The permittee shall assure compliance with the emission limitation by the compliance method in **Condition E7-10**.

- E7-12.** The maximum emission rate from the entire facility for any single hazardous air pollutant (HAP), listed pursuant to Section 112(b) of the Federal Act, shall not exceed 9.9 tons during all intervals of twelve (12) consecutive months. Total emissions of all HAPs from the entire facility shall not exceed 24.9 tons during all intervals of twelve (12) consecutive months. In the event that the emission rates from the entire facility exceed these limits, the permittee shall provide written notification of the exceedance(s) to the Technical Secretary within fifteen (15) days from the date of discovery. These limitations are established pursuant to the information contained in the application dated December 21, 2015. The permittee has requested these limits in order to avoid being subject to TAPCR 1200-03-31-.05(1) and 40 CFR Part 63 Subpart JJJJJ, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Brick and Structural Clay Products Manufacturing.

Compliance Method: The permittee shall assure compliance with these limitations by assuring compliance with **Conditions E7-10 and E7-11** of this permit. TAPCR 1200-03-09-.03(8)

- E7-13.** Reserved

- E7-14.** Reserved

- E7-15.** Reserved

- E7-16.** The exhaust gases from the kiln shall be discharged unobstructed vertically upwards to the ambient air from a stack with an exit diameter of 48 inches not less than 50 feet above ground level. TAPCR 1200-03-09-.01(1)(d) and (f)

- E7-17.** Pursuant to TAPCR 1200-03-26-.02(9)(b), the permittee shall calculate emissions from this source for fee purposes for the period from July 1 to June 30, every year. The

permittee shall maintain a record of the monthly brick production of this source and calculate the monthly emissions of PM, VOC, CO, NO_x, HF, and HCl. The following emission factors shall be used: (1) 0.71 lb PM per ton of fired brick, (2) 0.024 lb VOC per ton of fired brick, (3) 0.8 lb CO per ton of fired brick, (4) 0.51 lb NO_x per ton of fired brick, (5) 0.17 lb HF per ton of fired brick, and (6) 0.042 lb HCl per ton of fired brick. The permittee shall maintain a record of the monthly coal usage and shale usage of this source and calculate the monthly SO₂ emissions. The permittee shall use the results of **condition E7-2** for the sulfur content of the coal and use a value of 0.01% sulfur content for the shale. The permittee shall use the following equation to calculate monthly SO₂ emissions:

$$\text{SO}_2 \text{ emissions (ton/month)} = \{[\text{Coal usage (ton/month)}] \times [\text{Sulfur content of Coal}] \times [(64 \text{ SO}_2) / (32 \text{ S})]\} + \{[\text{Shale usage (ton/month)}] \times [\text{Sulfur content of Shale}] \times [(64 \text{ SO}_2) / (32 \text{ S})]\}$$

Month, Year	PM Emission Rate (lb/ton)	Brick Production (ton/month)	PM Emissions (ton/month)
July, 2018	0.71		
August	0.71		
Etc.	0.71		
June	0.71		
Total			

Month, Year	Coal Usage (ton/month)	SO ₂ Emissions from Coal (ton/month)	Shale Usage (ton/month)	SO ₂ Emissions from Shale (ton/month)	Total SO ₂ Emissions (ton/month)
July					
August					
Etc.					
June					
Total					

Month, Year	VOC Emission Rate (lb/ton)	Brick Production (ton/month)	VOC Emissions (ton/month)
July, 2018	0.024		
August	0.024		
Etc.	0.024		
June	0.024		
Total			

Month, Year	CO Emission Rate (lb/ton)	Brick Production (ton/month)	CO Emissions (ton/month)
July	0.8		
August	0.8		
Etc.	0.8		
June	0.8		
Total			

Month, Year	NOx Emission Rate (lb/ton)	Brick Production (ton/month)	NOx Emissions (ton/month)
July	0.51		
August	0.51		
Etc.	0.51		
June	0.51		
Total			

Month, Year	HF Emission Rate (lb/ton)	Brick Production (ton/month)	HF Emissions (ton/month)
July	0.17		
August	0.17		
Etc.	0.17		
June	0.17		
Total			

Month, Year	HCl Emission Rate (lb/ton)	Brick Production (ton/month)	HCl Emissions (ton/month)
July	0.042		
August	0.042		
Etc.	0.042		
June	0.042		
Total			

TAPCR 1200-03-10-.04 (2) (b)

72-0116-05 Coal Processing System. This source consists of coal storage, handling, and pulverizing with baghouse control.

Conditions E8-1 through E8-2 apply to source 72-0116-05

E8-1. Particulate matter emitted from this source shall not exceed 2.8 pounds per hour (lb/hr).

TAPCR 1200-03-07-.03(1)

Compliance Method: Compliance with this requirement shall be assured by maintaining a minimum pressure drop of 1.4 inches of water across the baghouse. The pressure drop for the baghouse shall be recorded once daily when the source is in operation. The days when the source does not operate shall be noted.

For lower pressure drop reading(s) resulting from replacement of bags, the permittee shall record the deviation(s) as such in their daily records. Due allowance will be made for lower pressure drop reading(s) which follow replacement of bags provided the permittee establishes to the satisfaction of the Technical Secretary that these lower readings resulted from the replacement of bags.

E8-2. The permittee shall calculate particulate matter (PM) emissions from this source for fee purposes for the period from July 1 to June 30, every year. The permittee shall maintain a record of the monthly operating hours of this source and calculate the monthly PM emissions using a PM emission factor of 0.16 pounds per hour.

Month, Year	PM Emission Rate (lb/hr)	Operating Hours (hr/month)	PM Emissions (ton/month)
July	0.16		
August	0.16		
Etc.	0.16		
June	0.16		
Total			

TAPCR 1200-03-10-.04(2) (b)

72-0116-06 Portable Batt Crusher. This source consists of a portable batt crusher with wet suppression control.

Conditions E9-1 through E9-4 apply to source 72-0116-06

E9-1. Particulate matter emitted from this source shall not exceed 9.5 pounds per hour (lb/hr).

TAPCR 1200-03-07-.01(5) and the agreement letter dated January 24, 2008

Compliance Method: The permittee shall assure compliance with this limitation by calculating the daily average particulate matter emission rate. The permittee shall maintain a log of the daily material input, operating hours, daily average material input rate, and daily average particulate matter emission rate.

Date	Material Input (ton)	Operating Hours (hours)	Daily Average Material Input Rate (ton/hr)	Daily Average Particulate Matter Emission Rate (lb/hr)
1				
2				
Etc.				
31				

The following equations shall be used:

$$\text{Daily Average Material Input Rate (ton/hr)} = \frac{\text{Material Input (ton/day)}}{\text{Operating Hours (hours/month)}}$$

$$\text{Daily Avg. PM Emission Rate (lb/hr)} = [\text{Daily Avg. Material Input Rate (ton/day)}] \times [\text{PM Emission Factor (lb/ton)}]$$

Note: PM Emission Factor = 0.095 pound of PM per ton of brick crushed.

E9-2. The maximum annual hours of operation for this source shall not exceed 300 hours during all intervals of twelve (12) consecutive months. This limitation is established pursuant to the information contained in the agreement letter dated January 24, 2008, from the permittee.

Compliance Method: The permittee shall assure compliance with this limitation by keeping a log (similar to the one below) of the monthly and yearly operating time. TAPCR 1200-03-10-.04(2)(b)

Month, Year	Hours of Operation (hours)	Hours of Operation (hours/12 consecutive months)
January		
February		
Etc.		
December		

The hours per twelve (12) consecutive month value is the sum of the Hours of Operation (in hours) in the 11 months preceding the month just completed + the Hours of Operation (in hours) in the month just completed.

- E9-3.** Wet suppression must be applied at locations in the operation as necessary to comply with the standards in this permit and effectively control fugitive emissions.

TAPCR 1200-03-07-.01(5) and the agreement letter dated January 24, 2008

Compliance Method: The permittee shall assure compliance with this limitation by maintaining the wet suppression system in good working condition.

- E9-4.** The permittee shall calculate particulate matter (PM) emissions from this source for fee purposes for the period from July 1 to June 30, every year. The permittee shall maintain a record of the monthly operating hours of this source and calculate the monthly PM emissions using a PM emission factor of 9.5 pounds per hour. TAPCR 1200-03-10-.04(2)(b)

Month, Year	PM Emission Rate (lb/hr)	Operating Hours (hr/month)	PM Emissions (ton/month)
July	9.5		
August	9.5		
Etc.	9.5		
June	9.5		
Total			

72-0116-07 Kiln Car Cleaner. This source consists of a vacuum that collects debris from the kiln cars and sends it through a three stage filtration system consisting of a centrifugal separator, a linear separator, and a fabric dust collector (baghouse). Larger debris is deposited in a Hi-Vac Hopper, and smaller particulate matter is sent to the baghouse. Emissions exhaust outside the building.

Conditions E10-1 through E10-4 apply to source 72-0116-07

- E10-1.** Particulate matter emitted from this source shall not exceed 2.1 pounds per hour (lb/hr).

TAPCR 1200-03-07-.04(1)

Compliance Method: Compliance with this requirement shall be assured by maintaining a minimum pressure drop of 1.0 inches of water across the baghouse. For lower pressure drop reading(s) resulting from replacement of bags, the permittee shall record the deviation(s) as such in their daily records. Due

allowance will be made for lower pressure drop reading(s) which follow replacement of bags provided the permittee establishes to the satisfaction of the Technical Secretary that these lower readings resulted from the replacement of bags. TAPCR 1200-10-02(1)

E10-2. The permittee shall maintain a record of the monthly operating hours of this source and using a PM emission factor of 0.0048 pounds per ton shall calculate particulate matter (PM) emissions from the Hi-Vac Hopper. The total Hopper emissions shall be calculated for fee purposes for the period from July 1 to June 30, every year.

Month, Year	PM Emission Rate (lb/hr)	Operating Hours (hr/month)	PM Emissions (ton/month)
July	0.0048		
August	0.0048		
Etc.	0.0048		
June	0.0048		
Total			

TAPCR 1200-03-10-.02(2) (a)

E10-3. Visible emissions shall be monitored daily using EPA Method 22. If visible emissions are observed, an EPA Method 9 evaluation shall be performed and corrective action performed.

TAPCR 1200-03-05-.03(6) and TAPCR 1200-03-05-.01(1)

Compliance method: The permittee shall assure compliance with the opacity standard by utilizing the opacity matrix dated June 18, 1996 (amended on September 11, 2013) that is enclosed as Attachment 1. Reports and certifications shall be submitted in accordance with Condition **E2** of this permit. The permittee shall keep a log of these corrective actions similar to the one below.

Date and Time	Corrective Action Performed

E10-4. In the event of a malfunction or down-time, this source shall vent to the inside of the enclosed building so that no emissions are released outside of the enclosed building. The collected material would go directly to the Hi-Vac Hopper located within the building.

TAPCR 1200-03-09-.01(1) (d) and the application dated May 7, 2014

Compliance Method: The permittee shall assure compliance with this requirement by keeping a log (similar to the one below) of the date, time, and reason for venting inside the building (malfunction or downtime).

Date and Time	Reason for Downtime	
	Malfunction	Downtime

END OF PERMIT NUMBER: 571172

ATTACHMENT 1

**OPACITY MATRIX DECISION TREE for
VISIBLE EMISSION EVALUATION METHOD 9
dated JUNE 18, 1996 and amended September 11, 2013**

Decision Tree PM for Opacity for Sources Utilizing EPA Method 9*

Notes:

PM = Periodic Monitoring required by 1200-03-09-.02(11)(e)(iii).

This Decision Tree outlines the criteria by which major sources can meet the periodic monitoring and testing requirements of Title V for demonstrating compliance with the visible emission standards set forth in the permit. It is not intended to determine compliance requirements for EPA's Compliance Assurance Monitoring (CAM) Rule (formerly referred to as Enhanced Monitoring – Proposed 40 CFR 64).

Examine each emission unit using this Decision Tree to determine the PM required.*

Use of continuous emission monitoring systems eliminates the need to do any additional periodic monitoring.

Visible Emission Evaluations (VEEs) are to be conducted utilizing EPA Method 9. The observer must be properly certified to conduct valid evaluations.

Typical Pollutants

Particulates, VOC, CO, SO₂, NO_x, HCl, HF, HBr, Ammonia, and Methane.

Initial observations are to be repeated within 90 days of startup of a modified source, if a new construction permit is issued for modification of the source.

A VEE conducted by TAPCD personnel after the Title V permit is issued will also constitute an initial reading.

Reader Error

EPA Method 9, Non-NSPS or NESHAPS stipulated opacity standards:

The TAPCD guidance is to declare non-compliance when the highest six-minute average** exceeds the standard plus 6.8% opacity (e.g. 26.8% for a 20% standard).

EPA Method 9, NSPS or NESHAPS stipulate opacity standards:

EPA guidance is to allow only engineering round. No allowance for reader error is given.

*Not applicable to Asbestos manufacturing subject to 40 CFR 61.142

**Or second highest six-minute average, if the source has an exemption period stipulated in either the regulations or in the permit.

Dated June 18, 1996

Amended September 11, 2013

